

Nos. 22-2069, 22-2070, 22-2071, 22-2072

**United States Court of Appeals
for the Federal Circuit**

MASIMO CORPORATION,

Appellant,

v.

APPLE INC.,

Appellee.

APPEAL FROM THE UNITED STATES PATENT AND TRADEMARK OFFICE,
PATENT TRIAL AND APPEAL BOARD IN NOS. IPR2021-00193,
IPR2021-00195, IPR2021-00208, IPR2021-00209

**APPLE'S UNOPPOSED MOTION FOR 14-DAY EXTENSION OF TIME
TO FILE ITS RESPONSE BRIEF**

Lauren A. Degnan
Christopher Dryer
W. Karl Renner
Adi A. Williams
FISH & RICHARDSON P.C.
1000 Maine Ave., Suite 1000
Washington, DC 20024
Tel: (202) 783-5070
degnan@fr.com

Ashley Bolt
FISH & RICHARDSON P.C.
1180 Peachtree Street NE
21st Floor
Atlanta, GA 30309
Tel: (404) 892-5005

January 9, 2023

Attorneys for Appellee Apple Inc.

CERTIFICATE OF INTEREST

Counsel for Appellee Apple Inc. (“Apple”) certifies the following:

1. Provide the full names of all entities represented by undersigned counsel in this case.

Apple Inc.

2. Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities.

Apple Inc.

3. Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities.

None

4. List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

Fish & Richardson P.C.: Andrew B. Patrick, Hyun Jin In, Daniel D. Smith, Roberto J. Devoto

5. Provide the case titles and numbers of any case known to be pending in this court or any other court or agency that will directly affect or be directly affected by this court’s decision in the pending appeal. Do not include the originating case number(s) for this case. Fed. Cir. R. 47.4(a)(5). See also Fed. Cir. R. 47.5(b).

Masimo Corporation, et al. v. Apple Inc.,
Case No. 8:20-cv-00048 (C.D. Cal.)

Certain Light-Based Physiological Measurement Devices and Components
Thereof
Case No. 337-TA-1276 (ITC)

Masimo Corp. v. Apple Inc.,
Case Nos. 22-1631, -1632, -1633, -1634, -1635, -1636, -1637, -1638
(Fed. Cir.)

Masimo Corp. v. Apple Inc.,

Case Nos. 22-1972, -1973, -1975, -1976 (Fed. Cir.)

6. Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R. 47.4(a)(6).

None

Dated: January 9, 2023

/s/ Lauren A. Degnan

Lauren A. Degnan

**UNOPPOSED MOTION FOR 14-DAY
EXTENSION OF TIME TO FILE APPLE’S RESPONSE BRIEF**

Pursuant to Federal Circuit Rule 26(b), Appellee Apple Inc. (“Apple”) respectfully requests an extension of time to file its response brief. This brief is currently due on February 7, 2023. Apple seeks a 14-day extension to February 21, 2023. This request is Apple’s first extension request in this appeal. Apple’s counsel has notified counsel for Appellant Masimo Corporation (“Masimo”) of its intent to seek an extension, and Masimo’s counsel had no objection to the requested extension.

Apple has good cause to request this extension. Counsel for Apple have professional commitments that hinder their ability to prepare a brief by the current deadline.

For the foregoing reasons, Apple respectfully requests a 14-day extension, to February 21, 2023, to file its response brief.

Dated: January 9, 2023

Respectfully submitted,

/s/ Lauren A. Degnan

Lauren A. Degnan

Christopher Dryer

W. Karl Renner

Adi A. Williams

FISH & RICHARDSON P.C.

1000 Maine Ave., Suite 1000

Washington, DC 20024

Telephone: (202) 783-5070

Ashley Bolt

FISH & RICHARDSON P.C.

1180 Peachtree Street NE, 21st Floor

Atlanta, GA 30309

Telephone: (404) 592-5005

Attorneys for Appellee Apple Inc.

CERTIFICATE OF SERVICE AND FILING

I certify that on January 9, 2023, I electronically filed the foregoing
**UNOPPOSED MOTION FOR 14-DAY EXTENSION OF TIME TO FILE
RESPONSE BRIEF** of appellee using the Court's CM/ECF filing system.
Counsel for appellant were electronically served by and through the Court's
CM/ECF filing system per Fed. R. App. P. 25 and Fed. Cir. R. 25(e).

/s/ Lauren A. Degnan

Lauren A. Degnan

CERTIFICATE OF COMPLIANCE

I certify that this motion complies with the type-volume limitation of Federal Rule of Appellate Procedure 27(d)(2)(A). The motion contains 139 words, excluding the parts of the motion authorized by Fed. R. App. P. 27(a)(2)(B). This motion has been prepared in a proportionally spaced typeface using Microsoft Word 2016 in Times New Roman, 14 Point.

Dated: January 9, 2023

/s/ Lauren A. Degnan
Lauren A. Degnan